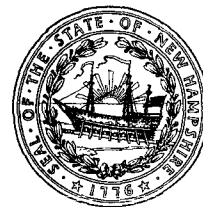




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

April 3, 2006
Letter of Deficiency
DSP#06-012

Mr. Alan Doolittle
Conservation Commission
Town of Derry
14 Manning Street
Derry, NH 03038

RE: Cole Marsh Pond Dam #063.44, Derry

Dear Mr. Doolittle:

The Department of Environmental Services, Dam Bureau (DES) consistently strives to enhance the safety of dams in New Hampshire through its dam safety program. One of the many instruments that play a part in reaching this goal is our inspection program. DES is forwarding this correspondence to you to advise you that in accordance with RSA 482:12 and Env-Wr 302.02, an inspection of the subject dam was conducted on October 24, 2005. During this visual inspection and/or file review, the following deficiencies were observed:

1. The crest of both the right and left earthen embankments has settled adjacent to the timber spillway training walls;
2. The spillway area was blocked with beaver debris and there is a beaver dam built on top of the wooden spillway raising the impoundment level;
3. The rip rap protection on both the upstream and downstream portions of the wooden spillway was not visible at the time of the inspection;
4. There was brush growing on the left downstream embankment of the dam; and
5. There is no operation and maintenance plan on file with the DES.

DES believes that the above deficiencies can be corrected by performing the following items by the indicated schedule:

June 1, 2006:

1. Remove the brush from the left downstream embankment of the dam;
2. Remove the beaver dam and debris from the upstream face of the spillway;
3. Prepare and submit an O&M plan. Due to the historical beaver activity the plan should initially call for monthly site visits to remove beaver debris. If the initial monthly visits are deemed to be too frequent, the plan can be modified to reflect site conditions;

December 31, 2006:

4. Verify that the specified stone rip rap protection exists on both the upstream and downstream portions of the wooden spillway. If not present, install as originally specified in the design plans; and

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095
Telephone: (603) 271-3503 • Fax: (603) 271-2867 • TDD Access: Relay NH 1-800-735-2964
DES Web site: www.des.nh.gov

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5. Regrade the crest of the dam to render it level with the top of the wooden spillway abutment walls.

DES is requesting that you complete and submit the attached "Intent to Complete Repairs" form, within 30 days of receipt of this letter, that will provide for correction of the identified deficiencies by the date(s) indicated above. Please call or write to our office if the repairs are completed ahead of the aforementioned schedule so that DES may schedule a follow-up inspection. Unless notified otherwise, DES will conduct the follow-up inspection on or after the date(s) indicated above. If you believe changes to the items of work or dates are necessary, please make the changes directly on the form and provide a brief explanation. We have enclosed a self addressed stamped envelope for you to return this form.

Our intent in sending you this correspondence is to make you aware of items that DES believes warrant your attention to insure the continued safe operation of your dam. It is our hope that, through the submittal of the attached form and a commitment to keeping a well-maintained dam, you will voluntarily comply with the requested items of work. If we do not receive the intent form or a similarly adequate written reply, we will assume that you are in agreement with our findings and recommendations and DES will carry out follow-up inspections accordingly.

If you have any questions or comments regarding this Letter of Deficiency or would like to be present at future inspections, please contact me by email at glevergood@des.state.nh.us or by phone at 271-3406, or write to the Water Division at the address listed on the bottom of the previous page.

Sincerely,

A handwritten signature in black ink, appearing to read "Grace E. Levergood", is written over a large, stylized, semi-transparent watermark that says "COPY".

Grace E. Levergood, P.E.
Dam Safety Engineer

Attachments Guideline for an O&M plan, DB8, DB13, Sketch Illustrating Deficiencies
cc: Gretchen R. Hamel, Legal Unit Administrator ✓
Certified # 7600 1670 0000 0588 7049
GEL/was/h:/safety/wendy/lod/063-44blod.doc